

REMARKSGenerally

The instant Patent Application presented claims 1-30 for examination.

The current Office Action rejected claims 1-30.

Specifically:

Claims 1-30 were "rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of U.S. Patent No. 6,600,374. Although the conflicting claims are not identical, they are not patentably distinct from each other because the current (child case) claim limitations are merely broader recitations of the parent case recitations."

Claims 1-3, 9, 13, and 15 were "rejected under 35 U.S.C. 102(b) as being anticipated by Fujita (Fig. 1)."

Claim 21 was "rejected under 35 U.S.C. 103(a) as being unpatentable over Fujita (Fig. 1)."

Obviousness-Type Double Patenting Rejection / Terminal Disclaimer

Accompanying this current Reply is a first "TERMINAL DISCLAIMER TO
OBVIATE A DOUBLE PATENTING REJECTION OVER A 'PRIOR' PATENT".
The Terminal Disclaimer pertains to U.S. Patent No. 6,600,374.

It is therefore believed that the obviousness-type double patenting rejection
has been obviated.

Additionally, although no other obviousness-type double patenting rejection
is currently instituted against the claims or is expected to be instituted, a second
Terminal Disclaimer accompanies this current Reply. This second Terminal
Disclaimer pertains to U.S. Patent No. 6,727,759. U.S. Patent No. 6,727,759 was
issued based on another parent application of the instant Patent Application.

Thus, to expedite the allowance of the instant Patent Application and the
ultimate issuance of a U.S. Patent based thereon, a second Terminal Disclaimer
pertaining to the other parent application also accompanies this current Reply.

1 Allowable Subject Matter

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3 Given that claims 4-8, 10-12, 14, 16-20, and 22-30 were rejected only under
4 obviousness-type double patenting and that the first Terminal Disclaimer is being
5 submitted in response thereto, it is respectfully submitted that the subject-matters of
6 claims 4-8, 10-12, 14, 16-20, and 22-30 should now be allowable.

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8 In other words, it is believed that claims 4-8, 10-12, 14, 16-20, and 22-30 now
9 have allowable subject matter based on their status as indicated in the current Office
10 Action.

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12 Moreover, with claim 22 being independent, it is respectfully submitted that
13 claims 22-30 are now allowable.

1 Argument

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3 Of the claims 1-3, 9, 13, 15, and 21 that were rejected based on art, claims 1,
4 9, and 15 are independent.

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6 Claims 1, 9, and 15 are rejected in the current Office Action on page 3 at the
7 second paragraph.

8
9 The current Office Action reads on page 3 at the second paragraph, in
10 pertinent part:

11 ...detecting (5; it should be noted that the element 5
12 of Fujita is functionally equivalent to the claimed clock
13 envelope voltage detector since the clock envelope voltage
14 detector serves as the reference signal to the comparator) a
clock envelope voltage...

15 The assertion in the parenthetical is respectfully traversed.

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18 The full claim portion reads, from claim 1 for example, **detecting a clock**
19 **envelope voltage responsive to a clock signal.**

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21 Item 5 of Fujita (U.S. Patent No. 5,051,707) is the "REFERENCE
22 VOLTAGE GENERATOR" that outputs V_{RN} and V_{RP} . Neither V_{RN} nor V_{RP} nor a
23 precursor thereof is termed a clock signal in Fujita. Moreover, neither performs any
24 clock-like or clock-related functions, such as timing.

1 It is respectfully submitted that the parenthetical assertion is inaccurate for at
2 least the following reasons:

3 First, circuits typically have one, two, or even many reference
4 voltages that are not clock-related. In fact, the outputs V_{RN} and V_{RP}
5 are merely reference voltages that are not clock-related.

6 Second, Fujita appears to be silent with regard to what the
7 outputs V_{RN} and V_{RP} might be based on. Fujita is not silent, however,
8 with regard to clock signals. For example, Fujita describes first,
9 second, and third clock signals ϕ_1 , ϕ_2 , and ϕ_3 that are illustrated in
10 Figures 1, 2, 4, 6, and 7 (with the second and third clock signals in
11 Figure 7). Fujita also describes a sampling clock signal ϕ_0 that is
12 illustrated in Figures 3 and 5. None of these four different clock
13 signals are input to or output from, or otherwise appear to be related
14 to, the item 5 reference voltage generator of Fujita.

15 Third, both outputs V_{RN} and V_{RP} are described as constant-
16 voltage values. See, e.g., Figure 2 and related text from column 2,
17 line 39 to column 3, line 59. There is no need to detect an envelope
18 voltage of a variable or output already having a constant-voltage
19 value.

20
21 Hence, the reference voltages V_{RN} and V_{RP} are, and item 5 of Fujita outputs,
22 only constant-valued reference voltages that cannot be considered (i) to correspond
23 to a clock envelope voltage or (ii) to be based on or responsive to a clock signal.
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1 Thus, it is respectfully submitted that no art of record, either alone or in any
2 combination, anticipates or renders obvious at least the following element(s) in
3 conjunction with the other elements of their respective claim(s):

4 Claim 1: **detecting a clock envelope voltage responsive to a clock signal.**

5 Claim 9: **detecting a clock envelope voltage responsive to a clock signal.**

6 Claim 15: **detecting a clock envelope voltage of a clock signal.**

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8 It is therefore respectfully submitted that the rejection of claims 1-3, 9, 13, 15,
9 and 21 by Fujita is inappropriate and cannot be maintained. Accordingly,
10 withdrawal of the rejections is respectfully requested.

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14 Dependent Claims

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16 Reasons for the allowability of independent claims 1, 9, and 15 have been
17 provided above. Although dependent claims 2/3, 13, and 21 that depend
18 respectively from claims 1, 9, and 15 also include additional element(s) militating
19 toward allowability, the dependent claims are allowable at least for the reasons
20 given above in connection with their respective independent claims.

CONCLUSION

It is respectfully submitted that all of pending claims 1-30 are allowable in the instant Patent Application, and prompt action to that end is hereby requested.

Respectfully Submitted,

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